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5/13/02

Patent  
Attorney's Docket No. 026350-068

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
Hiroshi SANO et al ) Group Art Unit: Unassigned  
Application No.: Unassigned ) Examiner: Unassigned  
Filed: October 5, 2001 )  
For: THEOBROMINE SYNTHASE )  
POLYPEPTIDE OF COFFEE PLANT )  
AND THE GENE ENCODING SAID )  
POLYPEPTIDE )

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to examination of the above-captioned patent application, kindly enter the following amendment.

IN THE CLAIMS:

Kindly cancel claims 1-15 without prejudice or disclaimer, and add new claims 16-34 as follows:

- A' 16. (New) A polypeptide consisting of an amino acid sequence of following (a)  
or (b):  
(a) an amino acid sequence defined by amino acid numbers from 1 to 378 shown in  
SEQ ID NO: 1 in a Sequence List.  
(b) an amino acid sequence in which a part of said amino acid sequence (a) is  
deleted or another amino acid sequence is added to said amino acid sequence (a) or a part